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HCR·ManorCare

October 25, 2006

Ms. Linda Cole
Chief, Long Term Care Policy and Planning
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215

Re: Comments on Hospice Services Component of the Proposed State Health Plan

Dear Ms. Cole:

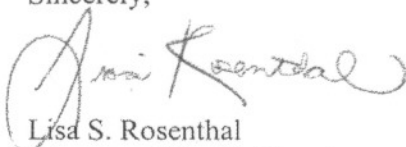
This comment relates to the proposed new Certificate of Need Review Standard / Docketing Rule for specialty home health agencies, as written in proposed Rule .13C-CCRC Provider. This proposed rule would allow specialty home health agencies to apply for certificate of need (CON) approval to provide hospice services to subscribers of the CCRC(s) for which it currently provides home health services. As written, it would permit such a CON to be docketed even if there is no identified need for hospice services in that particular jurisdiction.

HCR ManorCare believes strongly that there should not be a separate docketing provision/rule for such specialty home health/hospice providers, as written under the proposed Rule .13C. The reason is that such language provides unfair competitive advantage to CCRC-based providers that wish to develop hospice programs, over other providers of home health and hospice services in Maryland. This is especially highlighted by the limited need identified in the proposed State Health Plan that would only permit CON applications for hospice services/programs to be accepted/docketed in two Maryland jurisdictions.

All providers should have a level playing field with regard to CON and competition in Maryland, and incorporation of proposed Rule .13C would create an uneven field. We support the Hospice need calculations presented in the Proposed State Health Plan, and believe that they represent the needs of all Maryland residents, including those residing within CCRCs and those residing in the general community. The impact of Rule .13C would be to circumvent the MHCC need projections, by permitting hospice services to be developed beyond the identified need, while at the same time unfairly limiting those applicants that can file CON applications to respond to that need.

Thank you for consideration of these comments, and for the opportunity to comment on the Hospice Services Section of the Proposed State Health Plan.

Sincerely,



Lisa S. Rosenthal
Director of Health Planning
HCR ManorCare